

REMARKS

In the above-identified Office Action the Examiner has rejected claims 46 and 47 under U.S.C. 112 as indefinite. Applicant has amended both claims to eliminate the objected to term.

Claims 1-10, 12-14, 17-24, 27-35, 38, 40-50 and new claims 51-53 and 55-64 have been rejected as unpatentable over Lipkins in view of Sakata. The Examiner stated it would have been obvious to suppress cutting tool vibrations in the Lipkins machine by incorporating a vibration suppression element taught in the Sakata reference. The Examiner has stated that the Sakata vibration damping element would have been an obvious modification to the Lipkins apparatus for anyone seeking to optimize the quality of an as cut optical element by suppressing vibration induced sinusoidal surface waves.

Applicant has amended claim 1 so that it now recites that the step of adjusting the radial position of the vibration damping element comprises "radially displacing the vibration damping elements, said vibration damping elements capable of being displaced to a cylindrical housing of the separating body so that a cut can be made deeper into the basic body." This is different from the combination of Lipkins and Sakata. First, Sakata teaches an axial movement of his auxiliary holder 9 and balls 10 (Sakata, Column 5, line 30-32. Also see Figures 5(a) to 5(d)).

Further, the object in Lipkins is to insert the tool as deep as possible in the workpiece (Column 1, lines 49-51). This is not so with Sakata and, thus, there is no motivation for a combination of the two references, as one skilled in the art would not think to utilize the auxiliary holder of Sakata in the spherical cutting method of Lipkins.

With regards to independent claim 8, there is no teaching in either Sakata or Lipkins to adjust the radial position of the vibration damping element for the lessening of vibration. While Sakata does adjust the axial location of his auxiliary holder, such does not teach or suggest adjusting the radial position. The Examiner has stated that the Sakata vibration damping element would have been an obvious modification to the Lipkins apparatus for anyone seeking to optimize the quality of an as-cut optical element by suppressing vibration produced sinusoidal

surface waves. However, insofar as Sakata teaches the axial movement of his vibration suppression element, such would not make obvious the radial positioning of a vibration damping element which is capable of being displaced as far as the cylindrical housing of the separating body so that a cut can be made deeper into the basic body.

The Examiner has stated that applicant's argument that two lenses are not produced simultaneously in Lipkins is not persuasive. Applicant notes that in claim 12 it is not simply the lenses that are claimed, but it is stated that at least two optical blanks for lenses can be produced. This is definitely not shown in the art which shows arguably only two lenses, as stated by the Examiner, which lenses are on the same optical blank. Accordingly, claims 8, 12, 41, 46, 47, 48, 51, 53, 56, 60, 61 and 62 are allowable.

Claim 39 has been rejected over Lipkins and Sakata and further in view of Lipkins '952. Insofar as claim 12 has been argued above as being allowable, it is believed that claim 39, dependent upon claim 12, is also allowable.

With regard to claims 45 and 49, the Examiner has stated that the diamond dust particles are understood as the cutting elements and, therefore, understood to be irregularly arranged on the separating body or the spherical carrier. Applicant disputes this interpretation of Lipkins noting that the passages cited by the Examiner (Column 2, lines 67-69) specifically state that the spherical cutter has a cutting edge 36 of diamond dust. An edge of diamond dust does not constitute irregular arrangement thereof. Accordingly, applicant believes that the interpretation set forth in the Office Action is incorrect and therefore claim 49's recitation of arranging the cutting elements irregularly on the circumference of the separating body recites an element that is not found in the art. Therefore, claim 49 should also be allowable.

With regard to claims 50, 54, 55, 59, 63 and 64, as set forth above, Lipkins is concerned with maximizing the penetration of the cutter with the face of the material and, thus, must use a spherical cutter of less than hemispherical extent (Column 1, line 49-51 and 50-53), followed by a multi-part cutter of greater than hemispherical extent. Accordingly, one skilled in the art would not think to combine the teachings of Sakata with Lipkins as Sakata is not concerned with such

Serial No. 10/601,922

parameters at all.

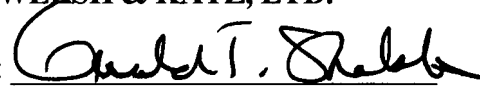
Applicant hereby requests reconsideration and reexamination thereof.

With the above amendments and remarks, this application is considered ready for allowance and Applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned at the below-listed number.

Respectfully submitted,

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